

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

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| (1) DEPARTMENT Administrative Office | (2) MEETING DATE 1/29/2013 | (3) CONTACT/PHONE Emily Jackson 781-5011 | |
| (4) SUBJECT Submittal of a notice to commence negotiations and a resolution approving the property tax agreement for Annexation No. 1 to the Nipomo Lighting District (Tract 1747). | | | |
| (5) RECOMMENDED ACTION Approve commencement of negotiations and a resolution accepting the property tax agreement for Annexation No. 1 to the Nipomo Lighting District (Tract 1747). | | | |
| (6) FUNDING SOURCE(S) n/a | (7) CURRENT YEAR FINANCIAL IMPACT \$0.00 | (8) ANNUAL FINANCIAL IMPACT \$0.00 | (9) BUDGETED? n/a |
| (10) AGENDA PLACEMENT { <input checked="" type="checkbox"/> } Consent { } Presentation { } Hearing (Time Est. _____) { } Board Business (Time Est. _____) | | | |
| (11) EXECUTED DOCUMENTS { <input checked="" type="checkbox"/> } Resolutions { } Contracts { } Ordinances { } N/A | | | |
| (12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A | | (13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A { } 4/5th's Vote Required { <input checked="" type="checkbox"/> } N/A | |
| (14) LOCATION MAP Attached | (15) BUSINESS IMPACT STATEMENT? No | (16) AGENDA ITEM HISTORY { <input checked="" type="checkbox"/> } N/A Date _____ | |
| (17) ADMINISTRATIVE OFFICE REVIEW This item was prepared by the Administrative office. | | | |
| (18) SUPERVISOR DISTRICT(S) District 4 - | | | |

County of San Luis Obispo



TO: Board of Supervisors

FROM: Emily Jackson, Administrative Analyst

DATE: 1/29/2013

SUBJECT: Submittal of a notice to commence negotiations and a resolution approving the property tax agreement for Annexation No. 1 to the Nipomo Lighting District (Tract 1747).

RECOMMENDATION

Approve commencement of negotiations and a resolution accepting the property tax agreement for Annexation No. 1 to the Nipomo Lighting District (Tract 1747).

DISCUSSION

This request relates to the annexation to the Nipomo Lighting District of approximately 50 acres of property within the County of San Luis Obispo, zoned residential. The property is located in the community of Nipomo at the northeasterly corner of Thompson Avenue and Chestnut Street in the unincorporated area of the County of San Luis Obispo. The purpose of the annexation is to provide a streetlight assessment district for Tract 1474.

Jurisdictional changes such as this can change service area responsibilities and/or impact operating expenses and revenues. The law requires affected jurisdictions (in this case, the County and the Nipomo Lighting District) to approve a property tax agreement prior to the Local Agency Formation Commission's (LAFCO) approval of the proposed change. Because the purpose of this annexation is to provide a streetlight assessment district in which services will be supported with a streetlight assessment, the Nipomo Lighting District is not eligible to receive a portion of the 1% basic property tax levy. Therefore, there is no annual increment to be exchanged in this annexation. As such, this letter to commence negotiations and the resolution to accept the property tax agreement are being presented for approval concurrently. Even though no property taxes are being exchanged, Section 56658 of the Government Code requires that the County adopt a resolution before LAFCO can issue a certificate of filing. This resolution is being presented for adoption within the 60-day time frame.

OTHER AGENCY INVOLVEMENT/IMPACT

The Local Agency Formation Commission has the authority to oversee the annexation of property. The property is to be annexed into Nipomo Lighting District, which is represented by the County's Public Works Department. County Counsel is also involved to review for form and legal effect. The Auditor's Office provided the financial analysis.

FINANCIAL CONSIDERATIONS

Since the Nipomo Lighting District is not eligible to receive of a portion of the 1% basic property tax levy, there is no annual tax increment to be exchanged on this annexation.

RESULTS

To agree to a fair and equitable property tax agreement as a result of annexations of property.

ATTACHMENTS

1. Notice to Commence Negotiations
2. Resolution Accepting Negotiated Exchange Agreement
3. Map of Proposed Annexation Area

cc - Barbara Godwin, Auditor-Controller's Office
David Church, LAFCO
Paavo Ogren, Public Works Department
Michael LeBrun, Nipomo Community Services District